

EXHIBIT LIST

I. PERMITS

1998 Permit: July 29, 1998 Letter from EPA to John Key Reissuing NPDES Permit, 000001-000043.

2003 Permit Modification – NPDES Permit No. AK-003865-2 (July 17, 2003). [BATES]

2007 Permit Withdrawal (September 27, 2007).

Compliance Order By Consent and Request for Information, In the Matter of: Cominco Alaska, Inc., Docket No. CWA-10-99-0167 (July 2, 1999). [BATES]

Letter from Randall F. Smith, Director, U.S. EPA Office of Water, to John L. Key, General Manager, Cominco Alaska, Inc., Re: Modified Compliance Order by Consent (May 31, 2000). [BATES]

Letter from Randall F. Smith, Director, U.S. EPA Office of Water, to John L. Key, President, Cominco Alaska, Inc., Re: Request for Information and Compliance Order Docket No. CWA-10-99-0167 (May 24, 2001). [BATES]

Letter from Randall F. Smith, Director, U.S. EPA Office of Water, to Robert M. Jacko, General Manager, Teck Cominco Alaska, Inc., Re: Modified Compliance Order by Consent and Request for Information Docket No. CWA-10-99-0167 (May 17, 2002). [BATES]

Request for Information and Compliance Order, In the Matter of: Cominco Alaska, Inc., Docket No. CWA-10-99-0200 (August 24, 1999). [BATES]

Letter from Randall F. Smith, Director, U.S. EPA Office of Water, to John L. Key, President, Cominco Alaska, Inc., Re: Request for Information and Compliance Order Docket No. CWA-10-2000-0031 (January 12, 2000). [BATES]

Letter from Randall F. Smith, Director, U.S. EPA Office of Water, to Robert M. Jacko, President, Teck Cominco Alaska, Inc., Re: Teck Cominco Incorporated, Red Dog Mine NPDES Permit No.: AK-003865-2, Appeal No.: NPDES 03-09 (October 2, 2003). [BATES]

NPDES Appeal No. 03-09, *In re: Teck Cominco Alaska, Inc., Red Dog Mine*, NPDES Permit No. AK-003865-2 (decided June 15, 2004) (excerpt). [BATES]

II. MINE SITE DISCHARGE MONITORING REPORTS ("DMR")

DMR, May 1999 (June 15, 1999), 000560-000610.

DMR, June 1999 (July 13, 1999), TC 000234 RD-TC 000279 RD.

DMR, July 1999 (August 15, 1999), TC 000280 RD-TC 000341 RD.

DMR, August 1999 (September 14, 1999), TC 000350 RD-TC 000414 RD.

DMR, September 1999 (October 12, 1999), TC 000776 RD-TC 000835 RD.

DMR, October 1999 (November 12, 1999), TC 000495 RD-TC 000551 RD.

DMR, May 2000 (June 14, 2000), TC 000563 RD-TC 000618 RD.

DMR, June 2000 (July 15, 2000), 001019-001076.

DMR, July 2000 (August 15, 2000), 001082-001144.

DMR, August 2000 (September 14, 2000), 001145-001202.

DMR, September 2000 (October 15, 2000), 001222-001283.

DMR, October 2000 (November 15, 2000), 001284-001339.

DMR, May 2001 (June 17, 2001), 001486-001532.

DMR, June 2001 (July 16, 2001), 001533-001612.

DMR, July 2001 (August 15, 2001), 001613-001669.

DMR, August 2001 (September 17, 2001), 001682-001703.

DMR, September 2001 (October 15, 2001), 001742-001789.

DMR, October 1-10 2001 (November 15, 2001), TC 001255 RD-TC 001311 RD.

DMR, May 2002 (June 17, 2002), TC 001352 RD-TC 001398 RD.

DMR, June 2002 (July 15, 2002), TC 001399 RD-TC 001451 RD.

DMR, July 2002 (August 14, 2002), 003625-003674.

DMR, August 2002 (September 16, 2002), 003675-003723.

DMR, September 2002 (October 14, 2002), TC 005747 RD-TC 005795 RD.

DMR, October 1-6 2002 (November 13, 2002), 003724-003774.

DMR, May 2003 (June 14, 2003), TC 012835 RD-TC 012889 RD.

Revised DMR, May 2003 (August 6, 2003), TC 012890 RD-TC012896 RD.

DMR, June 2003 (July 14, 2003), TC 012897 RD-TC 012964 RD.

DMR, July 2003 (August 15, 2003), TC 012965 RD-TC 013044 RD.

DMR, August 2003 (September 13, 2003), TC 013045 RD-TC 013111 RD.

DMR, May 2004 (June 15, 2004).

DMR, June 2004 (July 15, 2004).

DMR, July 2004 (August 15, 2004).

DMR, August 2004 (September 14, 2004), TC 031374 RD-TC 031444 RD.

DMR, September 2004 (October 15, 2004), TC 031448 RD-TC 031535 RD.

DMR, May 2005 (June 14, 2005), TC 035251 RD-TC 035321 RD.

DMR, June 2005 (July 14, 2005), TC 035322 RD-TC 035376 RD.

DMR, July 2005 (August 15, 2005), TC 035377 RD-TC 035458 RD.

DMR, August 2005 (September 15, 2005), TC 035459 RD-TC 035515 RD.

DMR, September 2005 (October 16, 2005), TC 035516 RD-TC 035603 RD.

DMR, October 2005 (November 15, 2005), TC 035775 RD-TC 035840 RD.

DMR, May 2006 (June 15, 2006), TC 036674 RD-TC 036763 RD.

DMR, June 2006 (July 15, 2006), TC 036845 RD-TC 036900 RD.

DMR, July 2006 (August 15, 2006), TC 036909 RD-TC 036987 RD.

DMR, August 2006 (September 15, 2006), TC 037001 RD-TC 037064 RD.

DMR, September 2006 (October 29, 2006), TC 037094 RD-TC 037174 RD.

DMR, October 2006 (November 15, 2006), TC 037896 RD-TC 037965 RD.

DMR, May 2007 (June 15, 2007), TC 038199 RD-TC 038269 RD.

DMR, June 2007 (July 15, 2007), TC 038270 RD-TC 038324 RD.

Revised DMR, May and June 2007 (August 6, 2007), TC 038187 RD-TC 038198 RD.

DMR, July 2007 (August 15, 2007), TC 038333 RD-TC 038413 RD.

DMR, August 2007 (September 17, 2007), TC 050646 RD-TC 050692 RD.

DMR, September 2007 (October 14, 2007), TC 050729 RD-TC 050794 RD.

DMR, October 2007 (November 15, 2007), TC 050583 RD-TC 050637 RD.

III. LAB REPORTS

Lab Reports, Cyanide (May 1999), including TC 003131 RD.

Lab Reports, Cyanide (June 2000), including TC 016408 RD, TC 016454 RD.

Lab Reports, Cyanide (August 2001), including TC 015949 RD, TC 015855 RD, TC 015842 RD.

Lab Reports, TDS (May 2005), including TC 045936-045937 RD, TC 045962-045963 RD, TC 046082-046083 RD.

Lab Reports, TDS (June 2005), including TC 046277-046281 RD, TC 046398 RD, TC 046442 RD, TC 043058-043062 RD, TC 043102-043106 RD, TC 043144-043148 RD.

Lab Reports, TDS (July 2005), including TC 046544 RD, TC 046628 RD, TC 046649 RD, TC 043253-043257 RD, TC 043358-043362 RD, TC 043386-043390 RD.

Lab Reports, TDS (August 2005), including TC 046705-046709 RD, TC 046762-046766 RD, TC 046914-046918 RD, TC 046998-047002 RD, TC 047064-047068 RD.

Lab Reports, TDS (September 2005), including TC 047154-047158 RD, TC 047181-047185 RD,

TC 047243-047247 RD, TC 047293-047297 RD, TC 047374-047378 RD, TC 043587-043591 RD.

Lab Reports, TDS (October 2005), including TC 043840-043844 RD.

Lab Reports, Cyanide (May 2005), including TC 046195-046198 RD, TC 046204 RD, TC 046220-046224 RD, TC 045926 RD, TC 045941 RD, TC 045967 RD, TC 046087 RD.

Lab Reports, Cyanide (August 2005), including TC 046710 RD, TC 046761 RD, TC 046919 RD, TC 046997 RD, TC 047069 RD, TC 047090 RD, TC 043493-043497 RD, TC 043489 RD, TC 043484 RD, TC 043446 RD.

Lab Reports, Cyanide (September 2005), including TC 047159 RD, TC 047186 RD, TC 047251 RD, TC 047301 RD, TC 047379 RD, TC 043592 RD, TC 047463-047468 RD, TC 047490-047495 RD, TC 047496-047501 RD, TC 047515 RD.

Lab Reports, Cyanide (October 2005), including TC 043845 RD, TC 047551 RD-047556 RD, TC 043790-043793 RD.

Lab Reports, Cyanide (May 2006), including TC 044129 RD, TC 044192 RD, TC 044147 RD, TC 043926 RD, TC 043972 RD, TC 044036 RD, TC 044246 RD, TC 043902 RD, TC 044101 RD, TC 044115 RD.

Lab Reports, Cyanide (June 2006), including TC 047763 RD, TC 047763 RD, TC 047845 RD, TC 044317 RD, TC 047650 RD, TC 047710-047711 RD, TC 047722 RD.

Lab Reports, Cyanide (July 2006), including TC 048045 RD, TC 048057 RD, TC 048133 RD, TC 047912 RD, TC 047916 RD, TC 044469 RD, TC 044472 RD, TC 048021 RD, TC 048033 RD,

Lab Reports, Cyanide (August 2006), including TC 048173 RD, TC 048267 RD, TC 044622 RD, TC 048339 RD, TC 044518 RD, TC 044570 RD, TC 044596 RD, TC 044607 RD

Lab Reports, Cyanide (September 2006), including TC 044706 RD, TC 044724 RD, TC 048455 RD, TC 048602 RD, TC 048679 RD, TC 048737 RD, TC 048756 RD, TC 048767 RD.

Lab Reports, Cyanide (October 2006), including TC 044924 RD, TC 048792 RD.

Lab Reports, TDS (May 2006), including TC 043966-043970 RD, TC 044030-044034 RD, TC 044241-044245 RD, TC 044147 RD, TC 043926 RD.

Lab Reports, TDS (June 2006), including TC 044315 RD, TC 047651 RD, TC 047845 RD.

Lab Reports, TDS (September 2006), including TC 044723 RD, TC 048454 RD, TC 048604 RD.

Lab Reports, TDS (October 2006), including TC 044924 RD.

Lab Reports, TDS (May 2007), including TC 045139 RD.

Lab Reports, TDS (June 2007), including TC 045466 RD, TC 045247 RD, TC 045388 RD, TC 045609 RD.

Lab Reports, TDS (August 2007), including TC 049737 RD, TC 049685 RD.

Lab Reports, TDS (September 2007), including TC 045783 RD.

Lab Reports, Cyanide (August 2007), including TC 049949 RD, TC 049983 RD, TC 050113 RD, TC 049596-049597 RD, TC 049684 RD, TC 049736 RD.

Lab Reports, Cyanide (September 2007), including TC 050489 RD, TC 050499 RD, TC 050523 RD.

Station 10 2002-2003 TDS Data, TC 027459-027461 RD.

Teck Cominco spreadsheet, Red Dog 1998-2003 NPDES data.

Teck Cominco spreadsheet, Red Dog Water Samples 1-1-03 to 10-1-04.

IV. NOTICE LETTERS

Notice Letter (June 9, 1999), 003837.

Notice Letter (June 23, 1999), 003842.

Notice Letter (July 1, 1999), 003843-003844.

Notice Letter (July 21, 1999), 003845.

Notice Letter (July 26, 1999), TC 001614 RD.

Notice Letter (August 9, 1999), TC 001618 RD.

Notice Letter (September 16, 1999), TC 001626 RD.

Notice Letter (November 1, 1999), TC 001621 RD.

Notice Letter (June 16, 2000), TC 001630 RD.

Notice Letter (July 3, 2000), TC 001631 RD.

Notice Letter (July 17, 2000), TC 001633 RD.

Notice Letter (July 17, 2000), TC 001634 RD.

Notice Letter (July 17, 2000), TC 001635 RD.

Notice Letter (August 22, 2000), TC 001640 RD.

Notice Letter (July 15, 2001), TC 001668 RD.

Notice Letter (August 13, 2001), TC 001667 RD.

Notice Letter (August 29, 2001), 003804-003805.

Notice Letter (September 11, 2001), 003813-003816.

Notice Letter (May 9, 2002), 003818.

Notice Letter (May 10, 2002), 003820.

Notice Letter (May 20, 2002), 003822.

Notice Letter (May 23, 2002), 003823.

Notice Letter (May 24, 2002), 003824.

Notice Letter (June 3, 2002), 003830.

Notice Letter (June 7, 2002), 003831.

Notice Letter (June 7, 2002), 003832.

Notice Letter (October 12, 2004), TC 031550 RD-TC 031552 RD.

Notice Letter (November 12, 2007), TC 050870 RD-TC 050871 RD.

Notice Letter (November 12, 2007), TC 050872 RD-TC 050873 RD.

V. DISCOVERY RESPONSES

Interrogatory No. 4 and Teck Cominco Response (August 30, 2004).

Interrogatory No. 5 and Teck Cominco Response (August 30, 2004).

Interrogatory No. 6 and Teck Cominco Response (August 30, 2004).

Interrogatory No. 7 and Teck Cominco Response (August 30, 2004).

Interrogatory No. 8 and Teck Cominco Response (August 30, 2004).

Interrogatory No. 9 and Teck Cominco Response (August 30, 2004).

Interrogatory No. 10 and Teck Cominco Response (August 30, 2004).

Interrogatory No. 11 and Teck Cominco Response (August 30, 2004).

Interrogatory No. 12 and Teck Cominco Response (August 30, 2004).

Interrogatory No. 13 and Teck Cominco Response (August 30, 2004).

Request for Admission No. 313 and Teck Cominco Response (October 12, 2004).

Request for Admission No. 315 and Teck Cominco Response (October 12, 2004).

Request for Admission No. 316 and Teck Cominco Response (October 12, 2004).

Request for Production No. 175 and Teck Cominco Response (October 12, 2004).

VI. TECK COMINCO INTERNAL COMPLIANCE MEMORANDA

Red Dog Mine Property Summary/Overview for January through December 1998, TC 035015-35073 RD.

Red Dog Mine Property Summary/Overview for January through December 1999, TC 034870-34929 RD.

Red Dog Mine Property Summary/Overview for January through December 2000, TC 034818-34869 RD.

Red Dog Mine Property Summary/Overview for January through December 2001, TC 034930-

35014 RD.

Red Dog Mine 2002 Operating Monthly Reports (January through December), TC 034774-34817 RD.

Red Dog Mine 2003 Compliance Report (January through December), TC 034762-34773 RD.

Red Dog Mine Compliance Report (January 2004 through March 2005), TC 034747-34761 RD.

Red Dog Mine Quarterly Environment, Health, Safety & Community Reports (1998 through First Quarter 2002), TC 035074-35107 RD.

Teck Cominco Limited, Red Dog Mine, Quarterly Environment, Health, Safety & Community Reports 2003, TC 035108-35132 RD.

Teck Cominco Limited, Red Dog Mine, Quarterly Environment, Health, Safety & Community Reports 2004, TC 035133-35163 RD.

Teck Cominco Limited, Red Dog Mine, Quarterly Environment, Health, Safety & Community Reports Quarter 1 2005, TC 035164-35170 RD.

Teck Cominco Limited, Red Dog Mine, Quarterly Environment, Health, Safety & Community Reports Quarter 2 2005, TC 035164-35170 RD.

Teck Cominco Limited, Red Dog Mine, Quarterly Environment, Health, Safety & Community Reports Quarter 3 2005, TC 038028-38036 RD.

Teck Cominco Limited, Red Dog Mine, Quarterly Environment, Health, Safety & Community Report, Quarter 4, 2005, TC 038020-38027 RD.

Teck Cominco Limited, Red Dog Mine, Quarterly Environment, Health, Safety & Community Reports 2006 (including Quarter 1, 2006, TC 038044-038050 RD; Quarter 2, 2006, TC 038051-038057 RD; Quarter 3, 2006, TC 038058-038071 RD).

VII. LEGAL PLEADINGS

Complaint, *United States of America v. Cominco Alaska Incorporated*, No. A97-267-CIV (JKS) (filed July 14, 1997).

Consent Decree, *United States of America v. Cominco Alaska Incorporated*, No. A97-267-CIV (JKS) (filed November 25, 1997).

VIII. FINANCIAL STATEMENTS

Cominco Alaska Incorporated, Financial Statements (December 31, 1998), TC RD.

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Teck Cominco Alaska Incorporated, Financial Statements (December 31, 2003), TC D.

Teck Cominco Alaska Incorporated, Financial Statements (December 31, 2004), TC 050530-050545RD.

Teck Cominco Alaska Incorporated, Financial Statements (December 31, 2005), TC 050546-050562RD.

Teck Cominco Alaska Incorporated, Financial Statements (December 31, 2006), TC 050563-050582RD.

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IX. REPORTS AND EXPERT REPORTS

Andrews, G., T. Mudder, M. Botz, and D. Howe. 1996. *Effluent Treatment and Water Management for TDS Control – Red Dog Mine*. December 1996 for Cominco Alaska, Inc.

Andrews, G., T. Mudder, M. Botz, and D. Howe. 1997. *Effluent Treatment and Water Management for TDS Control – Red Dog Mine*. September 1997 for Cominco Alaska, Inc.

Andrews, G., T. Mudder, M. Botz, and D. Howe. 1999. *Effluent Treatment and Water Management for TDS Control – Red Dog Mine – 1999 Update*. March 1999 for Cominco Alaska, Inc.

Andrews, G. 2004. *Expert Report of Gene Andrews*. Case No. A04-00049 CV. November 15, 2004.

Brix, K., R. Gerdes, and M. Grosell. February 2005. *Toxicity Identification Evaluation for Teck Cominco Red Dog Mine*.

International Network for Acid Prevention (INAP), *Treatment of Sulphate in Mine Effluents* (October 2003), TC 027530-027568 RD.

Michael Kavanaugh, Revised Expert Report including Rebuttal Report of Michael Kavanaugh

Kempton, H., M. Martin, and T. Martin. 2003. *Comparative Cost Analysis of Technologies for Treating Sulfate- and Metal-Contaminated Groundwater*. Acid Rock Drainage Sixth International Conference, 12-18 July, Cairns, North Queensland, Australia.

X. MISCELLANEOUS

Letter from James Kulas to Enoch Adams, 004101-004102 (October 11, 2002) (Chemical Inventory attached).

Letter from James Kulas to Enoch Adams (October 13, 2002).

Curriculum vitae of Randolph Fischer

Curriculum vitae of Ken Fucik

Curriculum vitae of Dr. Michael Kavanaugh

Curriculum vitae of Dr. Robert Moran

FedEx label (January 16, 2008), from Rachel Davis, Hartig Rhodes Hoge & Lekisch, to Luke Cole, Center on Race, Poverty, & the Environment, 47 Geary St, Suite 804, San Francisco, CA.

XI. DEPOSITION TRANSCRIPTS

Deposition of Eugene Andrews, February 2, 2004

Deposition of Michael Botz, March 9, 2005

Deposition of JoAnne Bozek, March 2, 2005

Deposition of Kevin Brix, February 22, 2005

Deposition of Robert Fuhrman, February 24, 2005

Deposition of Peter Guthrie, May 9, 2005

Deposition of Wayne Hall, May 6, 2005

Deposition of Robert Jacko, May 7, 2005

Deposition of John Key, May 9, 2005

Deposition of James Kulas, March 2 and May 31, 2005

Deposition of Charlotte MacCay, March 3, 2005

Deposition of Mark Thompson, March 3, 2005

Deposition of Joyce Tsuji, February 1, 2004